

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

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LUIS TRIGUEROS,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 16-1058V
Special Master Christian J. Moran

Filed: October 17, 2017

Ruling on entitlement;
Influenza vaccine;
Guillain-Barre syndrome.

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for
Petitioner;
Camille M. Collett, United States Department of Justice, Washington, DC, for
Respondent.

UNPUBLISHED RULING FINDING ENTITLEMENT¹

On August 25, 2016, Luis Trigueros filed a petition for compensation under the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 et seq. (2006). Mr. Trigueros alleges that he suffered Guillain-Barre syndrome (“GBS”) as a result of a flu vaccine administered on October 2, 2013.

In the Rule 4(c) report, respondent stated that the Division of Vaccine Injury Compensation, Department of Health and Human Services, has reviewed the facts of this case and have concluded that “the evidence shows that petitioner suffered GBS following the administration of a seasonal flu vaccine, and that the onset occurred within the time period specified in the [newly revised Vaccine Injury]

¹ The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this ruling on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Table.” Resp’t’s Rep. at 7-8. As a result, “respondent will not contest entitlement to compensation in this case.” Id. at 8.

Special masters may determine whether a petitioner is entitled to compensation based upon the record. A hearing is not required. 42 U.S.C. § 300aa-13; Vaccine Rule 8(d). Based upon a review of the record as a whole, the undersigned finds that **petitioner has established that he is entitled to compensation.**

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master